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NOTICE OF ALLOWANCE AND FEE(S) DUE

7590

11/28/2001

BRAD A. AMSTRONG
P. O. BOX 1419
PARADISE, CA 95967

EXAMINER

PARADISO, JOHN ROGER

ART UNIT

CLASS-SUBCLASS

3721

463-037000

DATE MAILED: 11/28/2001

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/510,572	02/22/2000	Brad A. Armstrong		2953

TITLE OF INVENTION: GAME CONTROL WITH ANALOG PRESSURE SENSOR

TOTAL CLAIMS	APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
74	nonprovisional	YES	\$640	\$0	\$640	02/28/2002

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT.

PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above. If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

B. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

☐ Applicant claims SMALL ENTITY status.
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and mail this form, together with applicable fee(s), to:

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MAILING INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

7590 11/28/2001

**BRAD A. AMSTRONG
P. O. BOX 1419
PARADISE, CA 95967**

Note: The certificate of mailing below can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing.

Certificate of Mailing

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Box Issue Fee address above on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/510,572	02/22/2000	Brad A. Armstrong		2953

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74	nonprovisional	YES	\$640	\$0	\$640	02/28/2002

EXAMINER	ART UNIT	CLASS-SUBCLASS
PARADISO, JOHN ROGER	3721	463-037000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). Use of PTO form(s) and Customer Number are recommended, but not required.

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47) attached.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 _____
2 _____
3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent)

☐ individual ☐ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

- ☐ Issue Fee
- ☐ Publication Fee
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Commissioner is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

The COMMISSIONER OF PATENTS AND TRADEMARKS is requested to apply the Issue Fee and Publication Fee (if any) to the application identified above.

(Authorized Signature)

(Date)

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending on the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, United States Patent and Trademark Office, Washington, D.C. 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES AND THIS FORM TO: Box Issue Fee, Assistant Commissioner for Patents, Washington, D.C. 20231**

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TRANSMIT THIS FORM WITH FEE(S)

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09/510,572	02/22/2000	Brad A. Armstrong		2953
7590	11/28/2001		EXAMINER	
BRAD A. AMSTRONG P. O. BOX 1419 PARADISE, CA 95967			PARADISO, JOHN ROGER	
			ART UNIT	PAPER NUMBER

3721

DATE MAILED: 11/28/2001

Determination of Patent Term Extension under 35 U.S.C. 154 (b)
(application filed after June 8, 1995 but prior to May 29, 2000)

The patent term extension is days. Any patent to issue from the above identified application will include an indication of the day extension on the front page.

If a continued prosecution application (CPA) was filed in the above-identified application, the filing date that determines patent term extension is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system. (<http://pair.uspto.gov>)

Notice of Allowability

Application No.

09/510,572

Examiner

John R. Paradiso

Applicant(s)

ARMSTRONG, BRAD A.

Art Unit

3721

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to interview on 11/7/2001.
2. ☒ The allowed claim(s) is/are 1-74.
3. ☒ The drawings filed on 22 February 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the top margin (not the back) of each sheet. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 5 <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. <u>8</u> | 6 <input type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

11/16/01
X. Cobb

EXAMINER'S AMENDMENT / COMMENT

Terminal Disclaimer

1. The terminal disclaimer filed on 5/21/2001 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of US Patent Numbers 6102802 and 6208271 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in an interview with Brad A. Armstrong on 11/7/2001.

The application has been amended as follows:

C

Art Unit: 3721

a.) Replace claim 1 with the following:

C1
-- 1. (Amended) An improved method of using a two hand held game controller structured with a housing formed to be held by a user in two hands simultaneously, said housing having a left-hand area and a right-hand area, located in said left-hand area is a depressible pad having four codependant areas, located in said right-hand area is a plurality of single individual depressible buttons; said game controller for controlling a simulated game character by way of depressing a portion of said depressible pad and depressing said single individual depressible buttons; a television displaying said simulated game character;

wherein the improved method comprises the steps:

providing at least two of said depressible buttons as pressure-sensitive buttons;

depressing said portion of said depressible pad for at least in part controlling said simulated game character;

depressing a first one of said pressure-sensitive with varying pressure for at least in part varying action intensity of said simulated game character;

depressing a second one of said pressure-sensitive with varying pressure for at least in part varying action intensity of said simulated game character.--

F
b.) Replace claim 6 with the following:

C2
-- 6. (Amended) An improved method of using a two hand held game controller structured with a housing formed to be held by a user in two hands simultaneously, said housing having a left-hand area and a right-hand area, located in said right-hand area is a plurality of single individual depressible buttons; said game controller for controlling a simulated game character by way of depressing said single individual depressible buttons;

wherein the improved method comprises the steps:

providing at least two of said depressible buttons as pressure-sensitive buttons;

depressing a first one of said pressure-sensitive with varying degrees of pressure for at least in part varying action intensity of said simulated game character;

depressing a second one of said pressure-sensitive with varying degrees of pressure for at least in part varying action intensity of said simulated game character.--

41 C

Art Unit: 3721

c.) Replace claim 41 with the following:

41. (Amended) An improved method for controlling game imagery with a game control, said game control at least in part controlling imagery created by an image generation machine,
said game control of the type having a housing designed to be held in two hands simultaneously, said housing having a right-hand area and a left-hand area, located in said right-hand area are depressible single individual buttons, said buttons positioned to be depressed by a user's right hand thumb, depression of said buttons is for controlling said imagery; said improvement comprises the step of:
providing variable action intensity of said game imagery at least in part controlled by pressure-sensitive variable-conductance of one of said buttons.

d.) Replace claim 53 with the following:

44 ~~53~~. A game control comprising:
a housing to be grasped and held simultaneously by two hands of a human user during use, said housing including a right-hand area and a left-hand area, said right-hand area being an area for grasping by the user's right hand, said left-hand area being an area for grasping by the user's left hand;
a plurality of depressible electricity manipulating devices each at least in-part exposed on said housing;
at least one of said electricity manipulating devices positioned within said right-hand area is a pressure-sensitive analog sensor actuated by variable depression of a single individual button, said analog sensor comprising:
a depressible resilient dome cap, said dome cap positioned over
a sheet, said sheet positioned over
a board;
said game control further including means for reading a signal from said analog sensor;
means for outputting information representing said signal.

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Reasons for Allowance

3. The following is an examiner's statement of reasons for allowance: the prior art could not alone or in combination anticipate or make obvious a method, apparatus, or method of manufacturing a game controller with buttons that are connected to pressure-sensitive sensors which produce an analog, increasing output when pressure is applied to said buttons.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

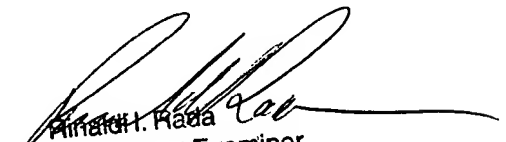
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Paradiso. The examiner can normally be reached Monday-Friday, 10:30 a.m. – 7:00 p.m. (ET).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi Rada, can be reached at the number listed below.

Any inquiry of a general nature or relating to the status of this application should be directed to the 3700 Technology Center receptionist.



Examiner John Paradiso (703) 308-2825
Fax (Direct to Examiner): (703) 746-3253
Supervisor Rinaldi Rada (703) 308-2187
Receptionist (703) 308-1148



Rinaldi Rada
Supervisory Patent Examiner
Group 3700

November 15, 2001

